

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEUTSCHE BANK TRUST COMPANY
AMERICAS, in its capacity as successor indenture
trustee for certain Series of Senior Notes, *et al.*,

Plaintiffs,

-against-

ADALY OPPORTUNITY FUND TD SECURITIES
INC. C/O ADALY INVESTMENT MANAGEMENT
CO., *et al.*,

Defendants.

Case No. 11 Civ. 4784 (UA)

STIPULATION

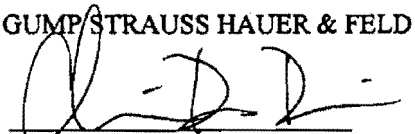
IT IS HEREBY STIPULATED AND AGREED by and among the undersigned that:

1. Defendant Pacific Select Fund shall have up to and including October 20, 2011 to respond to the amended complaint, subject to any stay of proceedings which may then be in effect;
2. Said Defendant waives any defense relating to service of process; and
3. Electronically transmitted or facsimile signatures on this stipulation shall be deemed as originals for all purposes.

Dated: September 9, 2011

AKIN GUMP/STRAUSS HAUSER & FELD
LLP

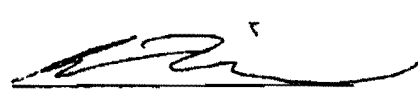
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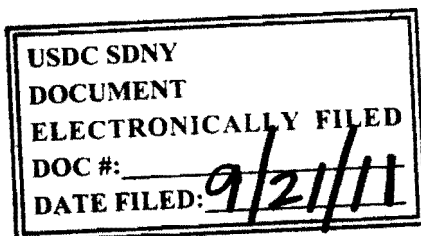
Counsel for Plaintiffs

DECHERT LLP


By:


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(212) 698-3500

*Counsel for Defendant
Pacific Select Fund*



SO ORDERED:


U.S.D.J.
9/14/11 *n*